

APPENDIX 8.4A

City of Turlock Statement of Overriding Consideration

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF MAKING WRITTEN }
FINDINGS FOR SIGNIFICANT }
ENVIRONMENTAL EFFECTS, A STATEMENT }
OF OVERRIDING CONSIDERATIONS FOR }
UNAVOIDABLE ENVIRONMENTAL EFFECTS, }
AND APPROVING THE MITIGATION }
MONITORING PROGRAM IN REGARDS TO }
ADOPTION AND IMPLEMENTATION OF THE }
1992 TURLOCK GENERAL PLAN UPDATE }

RESOLUTION NO. 93-042

WHEREAS, the City of Turlock has prepared an update to the 1984 Turlock General Plan and said Plan Update has been prepared pursuant to State Law (C.G.C. §65300 et.seq.) and the State General Plan Guidelines; and,

WHEREAS, the City of Turlock, as Lead Agency, has certified as complete and adequate a Final Environmental Impact Report (FEIR) prepared for the project pursuant to the California Environmental Quality Act (CEQA) describing and analyzing the significant environmental effects of adopting and carrying out the City's General Plan Update including discussion of ways to mitigate or avoid the significant effects as well as identifying those significant effects that cannot be avoided; and,

WHEREAS, the determinations and findings made herein by the City Council of the City of Turlock are supported by substantial evidence in the record including the policies and programs identified in the 1992 General Plan Update, the Master Environmental Assessment, the Draft EIR, all elements of the Final EIR including the Revisions to the MEA and reprint of the DEIR Summary Table (Table S-1), the Policies, Programs, and Mitigation Measures contained in the draft General Plan Update and the FEIR Impact and Mitigation Summary Table (Table S-1), the recommendations of the Planning Commission, and relevant public testimony received at approximately fourteen public meetings and workshops held between February, 1991 and March, 1993; and,

WHEREAS, pursuant to CEQA and the CEQA Guidelines, prior to adopting and carrying out the 1992 General Plan Update for which the EIR completed identifies one or more significant environmental effects, the City must make written findings for each of those significant environmental effects, accompanied by a brief explanation of the rationale for each finding; and,

WHEREAS, the City Council is required to balance the benefits of a proposed project, including its economic and social benefits to all City residents, against its unavoidable environmental risks in determining whether to approve the project, and if the project's benefits outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable" due to these overriding concerns.

NOW, THEREFORE, BE IT RESOLVED THAT, THE CITY COUNCIL OF THE CITY OF TURLOCK DOES HEREBY:

Section 1. Finds that the Final EIR has shown that there would be no significant adverse environmental effects to safety and safety services, water supply; solid waste management and disposal, and historic and archaeological resources from adoption and implementation of the 1992 General Plan Update.

Section 2. Finds that the Final EIR has identified those significant direct and indirect environmental effects of the project resulting from implementation of the General Plan Update, which include both project-level and cumulative impacts, and those significant effects are identified on Exhibit "A".

Section 3. Finds that the Final EIR has described reasonable alternatives to the project capable of either eliminating any significant environmental effects or reducing them to a level of insignificance and that these project alternatives have been reviewed and considered by the Council in regards to their feasibility of obtaining the basic objectives of the project.

Section 4. Finds that all feasible changes or alterations have been required in, or incorporated into, the project, including specific General Plan Policies and Programs, which eliminate, avoid, or substantially less the potential significant environmental effects that have been identified in the Final EIR.

Section 5. Finds that certain significant environmental effects identified in the Final EIR and listed in the Final EIR, Table S-1, have not been, or are unable to be, completely mitigated or eliminated and therefore requires adoption of a Statement of Overriding Considerations by the Council.

Section 6. Finds that it is necessary to adopt a monitoring and reporting program for the mitigation measures and General Plan policies that are proposed and adopted herein in order to mitigate or avoid significant effects on the environment during project implementation.

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL:

Section 7. Hereby adopts one or more written findings for each of those potential significant effects identified in the Final EIR pursuant to the C.G.C. §21083 and that this information is contained in Exhibit "A".

Section 8. Hereby adopts a Statement of Overriding Considerations for those potential significant environmental effects that have been found to be unavoidable but are acceptable due to overriding concerns and that this information is contained in Exhibit "B".

Section 9. Hereby adopts a Mitigation Monitoring and Reporting Program for those mitigation measures and General Plan policies that have been identified and adopted in order to mitigate, lessen or avoid certain significant effects on the environment during implementation of the General Plan.

This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Turlock at a special meeting on this 15th day of March, 1993 by the following roll call vote:

AYES: Councilmembers Ratto, Lazar, Palmberg, Hillberg and Mayor Andre

NOES: None

ABSTAIN: None

ABSENT: None


ATTEST: 
LINDA K. LEITAKER, CMC,
City Clerk, City of Turlock,
County of Stanislaus,
State of California

EXHIBIT A

FINDINGS OF SIGNIFICANT EFFECTS

1. Transportation/Circulation

A. Implementation of the Draft General Plan will cause a significant increase in the number of trips and vehicle miles travelled in the Planning Area. Indirect impacts to air quality and noise would also result (these are discussed in sections 3.B and 3.I of the Draft EIR).

Discussion: Section 2 of the MEA and Section 3.A of the Draft EIR provides information on traffic and circulation in the Plan Area including information on regional routes and goods movement. In addition to data from the City regarding level of service at 50 major streets and intersections, the Draft EIR included traffic impact analysis through use of a computerized model which identified and evaluated traffic impacts resulting from implementation of the General Plan through build-out in twenty years. Page 19, Section 3.A of the Draft EIR identifies a number of policies and programs established in the General Plan Update that would have a mitigating effect on the resulting congestion and operational impacts of increased traffic. In summary, Plan policies and programs with the recommended land use patterns in the Land Use Diagram will result in the absorption of growth, with no significant impact on traffic movement in most locations.

Finding: Changes or alterations have been required in, or incorporated into, the Plan which avoid or substantially lessen these significant environmental effects as identified in the Final EIR.

B. There are locations in the Planning Area where traffic operations at buildout are projected to operate at level of service E and F (shown in Figure 3-2). These locations and routes are:

Geer Road between Canal Drive and Tuolumne Road
Lander Avenue between Main Street and Linwood Avenue
Main Street between West Avenue and Lander Avenue
Olive Street between Main Street and Canal Drive

Discussion: As described in Section 2 of the MEA and Section 3.A of the Draft EIR, these are existing routes with all available right-of-way now improved. Some of these locations are currently operating at LOS D or worse. Policies in the Draft Plan to minimize increasing congestion along some of these routes include land use strategies such as dispersal of new neighborhood commercial facilities to alleviate congestion along Geer Road and Lander Roads; access control, parking prohibitions, turn prohibitions and examination of minor widening potential along all the routes where possible. Since portions of these existing streets are generally built to their full improved width, additional traffic volume capacity is limited to additional right-of-way acquisition often requiring substantial commercial and residential building relocation. Therefore, mitigation measures have been judged infeasible because of their cost and disruption, and traffic impacts on these routes are determined to be significant and unmitigable.

Finding: Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

C. Growth throughout the Plan Area, including expected cumulative growth elsewhere in the region, creates a significant "cumulative" impact related to regional and state routes, specifically Highway 99.

Discussion: Segments of SR 99 are projected to operate at LOS D as a result of cumulative impacts, whereas the desired standard in the Draft General Plan is LOS C. This facility, however, is not under the jurisdiction of the City, but rather the jurisdiction of CalTrans. Further, growth elsewhere in the region and state, which is beyond the planning control of the City, contributes to the "cumulative" increase in traffic volumes on this route which cannot feasibly be mitigated by the City of Turlock acting alone. The Final EIR includes new policy language that recognizes the importance of coordinated actions between the City and CalTrans with City requirements for Project Study Reports for State Highways when applicable, coordinating funding resources, and protection and acquisition of right-of-way necessary for these regional state routes. Reference is made to Section 2 of the MEA and Section 3.A of the Draft EIR.

Finding: Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

2. Air Quality

A. Implementation of the Draft General Plan has the potential to have a significant environment effect as it will contribute substantially to an existing air quality violation.

B. Implementation of the Draft General Plan will contribute to the cumulative impacts related to growth anticipated elsewhere in the air basin and to the role of the San Joaquin Valley in the transport of pollutants.

Discussion: Section 1 of the MEA provides detailed information on the climate and air quality in Turlock including a discussion of the 1991 Air Quality Attainment Plan for the San Joaquin Valley Air Basin. The Planning Area is part of an air basin that has a severe air pollution problem. As discussed in Section 3.B of the Draft EIR, the impacts of any development in the Planning Area consistent with the Draft General Plan would include an increase in vehicle trips and vehicle miles travelled. Both of these factors contribute to increasing levels of ozone and particulate matter, the two pollutants for which the Planning Area violates standards. As recognized by the 1991 Air Quality Attainment Plan for the San Joaquin Valley Unified Air Pollution Control District, these impacts cannot be fully mitigated with any identified measures. General Plan policies and programs identify those efforts that can feasibly be taken locally to lessen air quality impacts including cooperation with the SJVUAPCD regarding direct and indirect source rules. Many other related policies and programs are found in Sections 5.3 (Transportation Systems Management), §5.4 (Pedestrian and Bicycle Circulation), §5.6 (Goods Movement), §6.1 (Agriculture), §6.3 (Air Quality), and §6.4 (Energy Conservation).

Finding: Changes or alterations have been required in, or incorporated into, the Plan which substantially lessen these significant environmental effects as identified in the Final EIR.

Finding: Specific economic, social, or other considerations including the inability of the City to identify steps to avoid this regional impact make infeasible the mitigation measures or project alternatives identified in the Final EIR.

3. Vegetation and Wildlife

A. The conversion of approximately 7.3 square miles of agricultural land into urban land uses will contribute to cumulative diminishment of habitat that has the potential for significant adverse effects on plants and wildlife.

Discussion: As described in the MEA and Section 3.C of the Draft EIR, virtually all of the 28.5 square miles within the Planning Area has been previously converted from natural waterways and riparian vegetation to intensive commercial agricultural cultivation. As such, the absence of these natural lands result in a relatively narrow range of native plant and animal species present throughout the Plan Area. Policies and programs in Section 6.5 of the General Plan Update call for the City to work to enhance the diversity of the area's flora and fauna and consider further specific site reconnaissance review if new information supports existence of important species. The Plan concludes that no additional mitigation is necessary for project-level impacts. The Draft EIR does acknowledge that in the context of broader development trends resulting from expanding urban areas in Stanislaus County and the Central Valley, coupled with the possibility of the creation of new towns, there will be a cumulative diminishment of habitat. Complete mitigation of this potential "cumulative" significant effect is beyond the ability of the City to mitigate.

Finding: Changes or alterations have been required in, or incorporated into, the Plan which will lessen these significant environmental effects at the local project-level as identified in the Final EIR.

Finding: Specific economic, social, or other considerations including the inability of the City to identify steps to avoid this cumulative impact make infeasible any mitigation measures or project alternatives identified in the Final EIR.

4. Agriculture

Implementation of the Plan will indirectly allow for the conversion of approximately 4,700 acres of agricultural land to urban (non-agriculture) land uses, of which 3,200 acres are designated as prime farmland. This is considered to be a significant environmental effect on agricultural resources that cannot be mitigated to a level of insignificance.

Discussion: As discussed in Section 3 of the MEA and Section 3.D of the Draft EIR, expansion of the City will result in the conversion of agricultural lands to urban uses. Of approximately 18,300 acres in the Planning Area now largely in agricultural use, 26 percent would be converted to urban uses upon General Plan buildout. Conversion of prime farmland would total approximately 3,200 acres, 23% of the Planning Area total. The only measures that would eliminate impacts on agricultural land conversion would represent substantial changes to the proposed Plan and any future expansion of the present limits of City urbanization. Nonetheless, the draft Plan identifies a number of policies and programs (Sections 2.8, 6.1, and 7.1) that reflect one of the proposed Plan's

six overall themes: "Establishing limits to urban growth that will maintain Turlock as a freestanding city surrounded by productive agricultural land." These policies recognize strict limits on urban expansion, preventing premature urban expansion, minimizing urban/agricultural conflicts, protecting agricultural-related industries, zoning ordinance revisions, and fostering closer cooperation with Merced and Stanislaus Counties and Stanislaus LAFCO.

Finding: Changes or alterations have been required in, or incorporated into, the Plan which will lessen these significant environmental effects to long-term agricultural land production as identified in the Final EIR and draft Plan policies and programs.

Finding: Specific economic, social, or other considerations make infeasible any mitigation measures or project alternatives to avoid this significant adverse effect identified in the Final EIR.

5. Water Quality and Storm Drainage

A. Additional urban land uses resulting from implementation of the General Plan has the potential for a significant adverse effect related to water quality because it may substantially degrade or deplete groundwater resources and/or interfere substantially with groundwater recharge.

Discussion: As discussed in Section 5 of the MEA and Section 3.E of the draft EIR, these impacts result from the decrease in recharge caused by conversion of agricultural lands to urban uses, which will have the added effect of increasing recharge of water containing chemicals in use in the urban environment. This impact cannot be mitigated to a level of insignificance at either the project-level and cumulative basis.

Finding: Specific economic, social, or other considerations make infeasible any mitigation measures or project alternatives to avoid this significant adverse effect identified in the Final EIR.

B. The expansion of the urbanized area of the City allowed through the General Plan has the potential for a significant adverse effect water quality resulting from an inadequate storm drainage system to collect, retain, and allow for possible treatment of increased storm water runoff.

Discussion: Buildout under the General Plan will result in increased storm water runoff which will require increased storm drainage capacity and possible treatment. The City's Storm Drain Master Plan was designed to avoid adverse impacts on water quality or on the storm drain system as the City continued to expand and storm water disposal requirements became more restrictive. Since the Plan proposes an additional 500 acres of land for future urban uses, there is a potential incompatibility with the existing Storm Drain Master Plan in relation to area served. Draft General Plan policies and programs are described in Section 4.3 of the Plan and referred to herein. With the implementation measures identified, this potential impact would be reduced to a level of insignificance.

Finding: Changes or alterations have been required in, or incorporated into, the Plan which avoid or substantially lessen these significant environmental effects as identified in the Final EIR.

6. Public Facilities and Services

A. As the City grows it is acknowledged that there will short-term impacts on public facilities and services as it relates to schools that indirectly result from the population increases to the City.

Discussion: As with most public services, the further expansion and growth of the City creates secondary impacts to the public school facilities as the increase in population so increases enrollment of the local schools. Since the fall of 1991, the City of Turlock has had in place an adopted General Plan policy that requires all new residential development to "fully mitigate" its impact on the local school system as a condition of approval. Even with this requirement in place and applicable to all new development, often times the actual receipt of funding and subsequent construction do not keep pace with short-term enrollment increases. In addition, significant cumulative impacts would occur due to the effects of development approved but not yet built and which are not subject to the "full mitigation" requirements now in place (est. 1,700 d.u. as of March, 1992). Reference is made to Section 8 of the MEA and to Section 3.G of the Draft EIR.

Findings: Specific economic, social, or other considerations make infeasible any mitigation measures or project alternatives to avoid this significant "short-term" adverse effect identified in the Final EIR.

B. The additional urban development envisioned by the Draft General Plan will have a significant effect on the present capacity of the City's Waste Water Treatment Plant due to increased demands for sewage treatment capacity.

Discussion: Expected population growth and industrial expansion resulting from the buildout of the General Plan could reach a wastewater flow of between 22 to 23 mgd (million gallons per day). This future wastewater treatment demand well exceeds the present 15.5 mgd capacity of the treatment plant. As discussed in Section 8 of the MEA and Section 3.G of the Draft EIR, it is important for the City to closely monitor the incoming wastewater flows and plan for plant expansion projects before the need in order to mitigate this potential significant impact. General Plan policies and programs call for this type of close monitoring.

Finding: Changes or alterations have been required in, or incorporated into, the Plan which avoid or substantially lessen this potential significant environmental effects as identified in the Final EIR.

C. Additional urban development will result in an increase in treated wastewater effluent discharged from the City's Waste Water Treatment Plant which has the potential to create a significant adverse environmental effect.

Discussion: As discussed in Section 8 of the MEA and Section 3.G of the Draft EIR, as the city population increases over time, so will the amount of wastewater that will be treated by the City. Today, the treated effluent is discharged to the Turlock Irrigation District lateral No. 5 Drain, which in turn discharges to the San Joaquin River. Additional study will be required as the City explores the environmental impact associated with Treatment Plant expansion to determine if discharge requirements will

be changed in the future and the alternative methods that the City may be required to take to mitigate any potential adverse effects. The upcoming EIR should explore this issue.

Finding: Changes or alterations have been required in, or incorporated into, the Plan which avoid or substantially lessen this potential significant environmental effects as identified in the Final EIR.

7. Noise

Buildout of the General Plan will result in an increase in ambient noise levels resulting from higher traffic volumes along existing and new roadways, thereby having the potential for significant adverse effects on existing noise sensitive receptors that cannot be fully mitigated to a level of insignificance.

Discussion: As described in Section 11 and Appendix A of the MEA and Section 3.I of the Draft EIR, buildout of the General Plan will result in new fixed noise sources including industrial, recreational and commercial activities. Noise policies in Section 8.4 of the Draft General Plan requires noise analysis and appropriate mitigation for noise sensitive uses projected to be subject to noise levels that are conditionally acceptable or unacceptable. Therefore, impacts related to new sensitive receptors, new roadways and new fixed noise sources would all be less than significant. However, future traffic volumes on some existing roads will result in noise levels to adjacent noise-sensitive uses which exceed acceptable limits. Noise sensitive uses along the following roads would be affected: Golden State Blvd.; Highway 99; Monte Vista Avenue; Geer Road; Lander Avenue; Christofferson Parkway; East Avenue; Waring Road; and Verduga Road. Since there is no opportunity for acoustical review at most of these locations, and no noise mitigation will be required for existing noise-sensitive uses, this environmental effect cannot be mitigated to a level of insignificance.

Finding: Specific economic, social, or other considerations including the presence of the existing noise-sensitive uses make infeasible any mitigation measures or project alternatives to avoid this significant adverse effect identified in the Final EIR.

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS FOR UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS

3.A Traffic and Circulation

1. There are locations in the Planning Area where traffic operations at buildout are projected to operate at level of service E and F (shown in Figure 3-2). These locations and routes are:

Geer Road between Canal Drive and Tuolumne Road
Lander Avenue between Main Street and Linwood Avenue
Main Street between West Avenue and Lander Avenue
Olive Street between Main Street and Canal Drive

Discussion: As described in Section 2 of the MEA and Section 3.A of the Draft EIR, these are existing routes with all available right-of-way now improved. Some of these locations are currently operating at LOS D or worse. Since portions of these existing streets are generally built to their full improved width, additional traffic volume capacity is limited to existing right-of-way. Expanding these routes to maintain the desired level of service standard is not feasible given the expense of acquiring developed properties for additional right-of-way and the economic disruption likely to occur within these commercial routes caused by displacement of frontage businesses, often requiring substantial commercial and residential building relocation. Therefore, mitigation measures necessary to achieve full mitigation have been judged infeasible because of their cost and disruption, and traffic impacts on these routes are determined to be significant and unmitigable.

The City Council finds that this effect is caused by other beneficial aspects of the proposed Plan that outweigh the environmental risks of exceeding the specified level of service including a provision for a balance of jobs and housing, maintenance and expansion a centralized commercial core area to achieve a compact urban form, maintenance of the "small town" character of the community which includes retention of tree-lined streets and landscaped medians. Policies in the Draft Plan to minimize increasing congestion along some of these routes include land use strategies such as dispersal of new neighborhood commercial facilities to alleviate congestion along Geer Road and Lander Roads; access control, parking prohibitions, turn prohibitions and examination of minor widening potential along all the routes where possible ensure that the City will attempt to maintain the highest level of service on these roadways as possible.

2. Growth throughout the Plan Area, including expected cumulative growth elsewhere in the region, creates significant "cumulative" impacts related to regional and State routes, specifically Highway 99.

Discussion: Segments of SR 99 are projected to operate at LOS D as a result of cumulative impacts, whereas the desired standard in the Draft General Plan is LOS C. This facility, however, is not under the jurisdiction of the City, but rather the jurisdiction of CalTrans. Further, growth elsewhere in the region and state, which is beyond the planning control of the City, contributes to the "cumulative" increase in traffic volumes on this route which cannot be fully mitigated by the City of Turlock acting alone.

The City Council finds that this effect is caused by other beneficial aspects of the proposed Plan that outweigh the environmental risks of a cumulative traffic impact including a provision for a balance of jobs and housing, maintenance and expansion of the City's industrial and commercial areas, and the need for continued expansion to the tax base provided by new commercial and industrial land uses in order to fund continued public safety services (police and fire) which are almost totally dependent upon General Fund revenue sources. New Policies in the Draft Plan calls for the importance of coordinated actions between the City and CalTrans with City requirements for Project Study Reports for State Highways when applicable, coordinating funding resources, and protection and acquisition of right-of-way necessary for these regional state routes.

3.B Air Quality

Implementation of the Draft General Plan has the potential to have a significant environment effect as it will contribute substantially to an existing air quality violation and will contribute to the cumulative impacts related to growth anticipated elsewhere in the air basin and to the role of the San Joaquin Valley in the transport of pollutants.

Discussion: Increased air emissions will result from more vehicular traffic in the City of Turlock and the Planning Area. This impact is not unique to Turlock and will result from any new development in the air basin. Because the Planning Area is part of a much larger air basin that is already non-attainment in federal and State air quality standards, the new development within the basin will contribute to regional air pollutant emissions and may further delay attainment of federal and state standards. As recognized by the 1991 Air Quality Attainment Plan for the San Joaquin Valley Unified Air Pollution Control District, these impacts cannot be fully mitigated by one jurisdiction.

The City Council finds that even provision for balanced and well planned growth such as that required by the Turlock General Plan will result in air quality impact. The benefits to the City in meeting its fair share of regional housing need and promoting a greater balance among land uses in the community outweigh the environmental risks of relative decrease in air quality. Nonetheless, substantial policies and programs in the General Plan Update identify those efforts that can feasibly be taken locally to lessen air quality impacts including cooperation with the SJVUAPCD regarding direct and indirect source rules. Many other related policies and programs are found in Sections 5.3 (Transportation Systems Management), §5.4 (Pedestrian and Bicycle Circulation), §5.6 (Goods Movement), §6.1 (Agriculture), §6.3 (Air Quality), and §6.4 (Energy Conservation).

3.C Vegetation and Wildlife

The conversion of approximately 7.3 square miles of agricultural land into urban land uses will contribute to the "cumulative" diminishment of habitat that has the potential for significant adverse effects on plants and wildlife.

Discussion: As described in the MEA and Section 3.C of the Draft EIR, virtually all of the 28.5 square miles within the Planning Area has been previously converted from natural waterways and riparian vegetation to intensive commercial agricultural cultivation. As such, the absence of these natural lands result in a relatively narrow range of native plant and animal species present throughout the Plan Area. The Draft EIR concludes that no additional mitigation is necessary for project-level impacts. However, the Draft EIR does acknowledge that in the context of broader development trends resulting from expanding urban areas in Stanislaus County and the Central

Valley, coupled with the possibility of the creation of new towns, there will be a cumulative diminishment of habitat.

The City Council finds that it is not feasible to mitigate this "cumulative" impact to a level of insignificance. Avoiding this potential impact would result in the City's inability to meet the needs of the current and future residents of the community for employment, goods and services, and increased housing opportunities. The City Council finds that the ability of the City to meet its fair share of the regional housing need, to ensure that there is a balance of jobs and housing, and sufficient services for the residents of the community as growth occurs outweighs the environmental risk of the contribution to the region's cumulative loss of habitat. Policies and programs in Section 6.5 of the General Plan Update call for the City to work to enhance the diversity of the area's flora and fauna and consider further specific site reconnaissance review if new information supports existence of important species.

3.D Agriculture

Growth envisioned by the Plan will result in the conversion of approximately 4,700 acres of agricultural land to urban (non-agricultural) uses, of which 3,200 acres are designated as prime farmland.

Discussion. Expansion of the City will result in the conversion of agricultural lands to urban uses. Of approximately 18,300 acres in the Planning Area now largely in agricultural use, 26 percent would be converted to urban uses upon General Plan buildout. Conversion of prime farmland would total approximately 3,200 acres, 23 percent of the Planning Area total. The effect of continuing urbanization on agricultural land uses cannot be fully mitigated by policies in the General Plan.

The draft Plan identifies a number of policies and programs (Sections 2.8, 6.1, and 7.1) that reflect one of the proposed Plan's six overall themes: "Establishing limits to urban growth that will maintain Turlock as a freestanding city surrounded by productive agricultural land." These policies recognize strict limits on urban expansion, preventing premature urban expansion, minimizing urban/agricultural conflicts, protecting agricultural-related industries, zoning ordinance revisions, and fostering closer cooperation with Merced and Stanislaus Counties and Stanislaus LAFCO. Nonetheless, the City Council finds it is not feasible to fully mitigate these impacts to a level of insignificance. The only measures that would eliminate impacts on agricultural land conversion would represent substantial changes to the proposed Plan and any future expansion of the present limits of City urbanization, thereby restricting the ability of the City to meet the needs of current and future residents for employment, goods and services, and housing opportunities. The City Council finds that the ability of the City to meet its fair share of the regional need for housing, to ensure that there is a balance of jobs and housing and sufficient services for residents of the community as growth occurs outweighs the environmental risk of farmland conversion with the Planning Area.

3.E Water Quality

Additional urban land uses resulting envisioned by the General Plan has the potential for substantial degradation or depletion of groundwater resources and/or interference with groundwater recharge.

Discussion. As discussed in Section 5 of the MEA and Section 3.E of the draft EIR, the conversion of agricultural land to urban uses will generally act to decrease the potential for ground water recharge due to new impervious surfaces including buildings, paved areas, and roads. Along with new impervious surfaces comes the collection of storm water runoff and an increased potential for recharge of water containing chemicals used in urban environments. The City Council recognizes that this potential impact cannot be fully mitigated to a level of insignificance.

Avoiding new impervious surface as growth in the community continues is unrealistic and would thwart the City's obligation to meet the social and economic needs of its citizens including continued employment, goods and services, and housing opportunities. The City Council finds that intent of the Plan to promote a greater balance among land uses in the community through continued urban growth contributes to the ability of the City to meet its fair share of regional housing needs. This important aspect outweighs the environmental risk of relative decrease in surface recharge area.

The Council also notes that in 1988, the City adopted a Storm Drain Master Plan, designed to avoid adverse impacts on water quality or on the storm drain system that might otherwise be associated with continued urban development. This Master Plan is being implemented and is proving itself to be a valid method of timely collection and detention of storm water runoff, thereby significantly decreasing the potential for recharge contamination. In addition, future phases presently under design and construction call for central collection at a site adjacent to the City's Waste Water Treatment Plant which provides for the future ability to treat this collected storm water for contaminants. Additional policies in Section 4.3 of the Draft General Plan and Mitigation Measures of the Final EIR have been proposed to decrease recharge of untreated runoff and amend the Storm Drain Plan to cover the additional 500 acres added to the future urban land area of the City.

3.G Public Facilities and Services

With the immediate growth envisioned by the Plan, there will short-term significant impacts on public facilities and services as it relates to schools that indirectly result from the population increases to the City.

Discussion: As with most public services, the further expansion and growth of the City creates secondary impacts to the public school facilities as the increase in population so increases enrollment of the local schools. Since the fall of 1991, the City of Turlock has had in place an adopted General Plan policy that requires all new residential development to "fully mitigate" its impact on the local school system as a condition of approval. Even with this requirement in place and applicable to all new development, often times the actual receipt of funding and subsequent construction do not keep pace with short-term enrollment increases. In addition, significant cumulative impacts would occur due to the effects of development approved but not yet built and which are not subject to the "full mitigation" requirements now in place (est. 1,700 d.u. as of March, 1992). Reference is made to Section 8 of the MEA and to Section 3.G of the Draft EIR.

The City Council finds that it is not feasible to mitigate this short-term significant impact to a level of insignificance. The responsibility for school facility funding is that of the local school district as a distinct tax-supported agency along with the State of California. The City has taken steps beyond the basic funding obligations in the State Government Code to require all new residential development to fully mitigate its impact on the local school system. Policies in the General Plan reaffirm this City commitment to assist the local districts in achieving full mitigation as conditions

of local discretionary approval. Therefore, the limited powers of the City in this specific area is the "other consideration" which makes infeasible full mitigation of this potential significant impact resulting from short-term enrollment demands.

3.I Noise

Growth envisioned by the General Plan will result in an increase in ambient noise levels resulting from higher traffic volumes along existing and new roadways.

Discussion: Future traffic volumes on some existing roads will result in noise levels to adjacent noise-sensitive uses which exceed acceptable limits. Noise sensitive uses along the following roads would be affected: Golden State Blvd.; Highway 99; Monte Vista Avenue; Geer Road; Lander Avenue; Christofferson Parkway; East Avenue; Waring Road; and Verduga Road. Since there is no opportunity for acoustical review at most of these locations, and no noise mitigation will be required for existing noise-sensitive uses. Therefore, this environmental effect cannot be fully mitigated to a level of insignificance by policies in the General Plan.

The City Council finds that this effect is caused by other beneficial aspects of the General Plan that outweigh the environmental risks of exceeding conditionally acceptable noise levels for existing development along specific routes. These benefits include the provision for a balance of jobs and housing, maintenance and expansion of a commercial areas to maintain a strong economic tax base for tax-supported safety services, and the maintenance of a small town character of the community. In addition, the costs to relocate and/or eliminate existing noise sensitive land uses along these existing routes would be economically prohibitive for the City's residents as taxpayers. Policies in the Plan do call for noise studies and noise attenuation measure for all new noise sensitive receptors and fixed-source noise generators to lessen new potential risks to Turlock citizens.

ALTERNATIVES TO THE GENERAL PLAN

The General Plan EIR thoroughly discusses alternatives to the project (adoption of the proposed General Plan). This information is in Section 4 of the Draft EIR which includes diagrams, tables, and an "Impact Summary of Alternatives" shown in matrix format. The City Council finds that alternative evaluated in Section 4 of the General Plan EIR are infeasible, based on economic, social and other considerations as set forth below. Such references incorporated herein acknowledge full reference to Section 4 in its entirety.

Existing General Plan (No Project Alternative)

Maintenance of existing conditions exactly as they are is clearly not an alternative given changing conditions with the community and the region. These changing conditions include State law that requires Turlock to accommodate its fair share of regional housing needs, regional changes over which Turlock has little control, and the development potential of individual properties as guaranteed by underlying zoning. Reliance on the current General Plan would retain the current imbalance in the level of service for parks and other municipal services and reduce the ability of the City to obtain additional employment, goods and services, and expanded tax base to balance the levels of permitted residential development. Existing conditions do not represent a feasible alternative, but rather a baseline form which to measure other alternatives, as well as the proposed project.

Southeast Growth Alternative

While this alternative would conserve the higher quality agricultural soils immediately north of existing urban uses, it would displace important farmland to the east. A immediate and major policy change in direction of growth to the north would interfere with underlying development expectations and substantial public investment that has begun implementation of several programs and improvements predicated on short-term and intermediate growth in that location. (Reference is made to the complete description of this alternative in Section 4 of the Draft EIR).

Primary Sphere of Influence Alternative 1 (Low Development Intensity)

Restricting a 20-year buildout area to the limits of the existing primary sphere of influence would limit development to approximately 2,600 acres, providing for an additional 23,200 residents. Due to less overall growth, impacts on air and water quality would be lower than any of the other alternatives identified. Other environmental benefits would be a reduced impact on public facilities and services, lower traffic increases, and less loss of farmland. However, this reduced area of land for development results in an average growth rate of about 2.2 percent, much less than the 3.7 percent growth rate projected for Turlock over the next twenty years by SAAG. This alternative would restrict growth, impede Turlock's ability to fulfill its fair share of regional housing needs, and thwart public plans and programs currently in place. While this option represents the preferred alternative in regards to reducing many of the potential environmental effects, it is acknowledged that any new growth will impact air quality, water quality, noise, and certain public services.

Primary Sphere of Influence Alternative 2 (High Development Intensity)

This alternative matches the areal extent of the Low Density Alternative above, but assumes residential development at much higher than prevailing or anticipated densities resulting in a population increase of about 39,000. Environmental benefits would be a reduced impact on agricultural land conversion and water quality, similar to the Low Density alternative. However, while direct restrictions on growth would be less severe than in that alternative, required higher development intensities may set up a mismatch between demand and supply, indirectly pushing growth elsewhere in the region, and also may lead to disruption of neighborhood character and promote conversion of existing residences to higher densities. Though a more compact form may result in shorter trip-lengths, impacts on air quality and likely to be more severe because of a larger population and corresponding increase in trips. While coming closer to meeting regional housing needs, this alternative would not do as much to mitigate impacts on public facilities and services.

Proposed General Plan

The City Council finds that the proposed General Plan alternative is the environmentally preferred alternative due to the greater ability afforded the City to comprehensively plan for the orderly growth and development of the community based on the provision of public facilities and services, and the greater ability of the City to lessen the potential adverse effects of urbanization to the greatest extent feasible.

The provisions of adequate levels of service for public facilities specified in the General Plan and EIR require that a relatively large geographic area be selected for long range planning purposes. This avoids the potential for unanticipated growth inducements in the planning area that could lead to loss of the City's ability to effectively mitigate impacts to the maximum extent feasible as indicated in the

General Plan and EIR. The ability of the City to implement policies and programs to recognize local resource constraints, maintain the community's "quality of life", and continue to deliver efficient and cost-effective public services and infrastructure, are best reflected in the proposed General Plan. Implementation of this preferred Plan will reaffirm the northerly urban limit of the City and begin to "steer" long term development to the southeast part of the Planning Area.

Other alternatives would not achieve the City's overall goals for a social and economic diversity in its population, increased affordable housing opportunities, employment growth and fiscal balance, and would make expansion of the City's industrial and commercial base difficult.

The City Council finds that the policies and programs incorporated into the General Plan and the alternative selected are required as a guide to future development of the City to mitigate or avoid the significant environmental effects thereof, as identified in the Final EIR. Insofar as the significant, or potentially significant environmental effects which are not mitigated by the proposed General Plan, the above-stated specific economic, social and other overriding considerations render full mitigation measures infeasible.

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM

Two components make up the mitigation monitoring program for the General Plan.

The first component consists of the policies of the General Plan which are the basis for review of individual public and private projects proposed within the Plan Area. For a project to be approved, it must be consistent with General Plan policies. As mitigation measures, these policies will be reviewed on a project-specific basis. By virtue of state law and case law, all zoning, subdivision, and public works decisions must be consistent with the General Plan, thus ensuring implementation of these policies on a project-by-project basis.

The second component of the mitigation monitoring program consists of the implementation of programs identified in Section 6 of the General Plan EIR. This includes identification of specific mitigation measures not part of the General Plan policies which are shown on Table S-1 of the Final EIR and discussed within part 3 of the Draft EIR. This component provides that implementation of these policies, programs, and mitigation measures will be monitored on an annual basis.

Following certification of the FEIR and adoption of the General Plan, a formal checklist of all mitigation measures shall be prepared which shall be referenced by the City Planning Staff, Planning Commission, and City Council during the annual monitoring and reporting process.

The City Council hereby adopts the mitigation monitoring and reporting process as described herein and presented in the Final EIR which includes Section 7: Reference Table to General Plan Policies Relating To Topics Addressed in the EIR.

BEFORE THE CIT / COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF APPROPRIATING }
\$150,000 FROM UNBUDGETED GENERAL }
FUND RESERVE FOR THE PREPARATION }
OF THE WESTSIDE INDUSTRIAL SPECIFIC }
PLAN }

RESOLUTION NO. 2002-009

WHEREAS, the area wide planning of the city has to date focused on commercial and residential areas of the city, and

WHEREAS, there is a need to balance the city's planning by preparing a Specific Plan for the city's industrial westside to facilitate its development and the creation of new employment for the existing and future residents of the city and county, and

WHEREAS, the preparation of a Specific Plan for the city's westside is timely permitting the recommendations of the Economic Development Strategy being prepared for the county and each participating city by the Stanislaus County Economic Development Corporation to be incorporated into the Plan; and

WHEREAS, the Turlock City Council wishes to facilitate the orderly development of the areas planned for industrial development and business parks on its westside through the preparation of the Westside Industrial Specific Plan (WISP).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Turlock as follows:

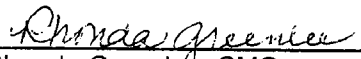
Section 1. The City Council appropriates \$150,000 from its Unbudgeted General Fund Reserve to the line 110/411-02-21 in the city's Fiscal Year 01-02 Budget the preparation of the Westside Industrial Specific Plan.

Section 2. The City Council authorizes staff to seek the services of qualified planning consultants to prepare the Westside Industrial Specific Plan and appropriate environmental documentation as required by the California Environmental Quality Act.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 22nd day of January, 2002, by the following vote:

AYES:	Councilmembers Hatcher, Lazar, Wallen, and Yerby
NOES:	None
ABSTAIN:	None
NOT PARTICIPATING:	None
ABSENT:	Mayor Andre

ATTEST:


Rhonda Greenlee, CMC
City Clerk, City of Turlock, County
of Stanislaus, State of California

Redevelopment Plan

